

been left to exercise their own free will and judgment in the management of their own affairs; the State of Maryland, with the institution of slavery, would have grown up to be one of the greatest States, in point of wealth and intelligence, in the country. There is then no public necessity, so far as the State of Maryland is concerned, to abolish the institution of slavery.

Now, sir, has the Federal Government any power to abolish slavery? There is but one way in which the Federal Government can take possession of private property, and that is when the public necessities of the Government require it; when the general interests of the country require it; when some great military necessity overpowers and overrides every other right and title to property. Then, and then alone, has the Federal Government the right to take private property. But so far from there being any such public necessity for taking the property of the citizens of the State of Maryland, I have shown that the geographical position of the State of Maryland would render it incumbent upon the Federal Government, if it consulted its own interests, to let the institution alone here. There is no public necessity requiring any interference on the part of the Federal Government to destroy the status of the institution of slavery here. There may be a necessity to take private property in the shape of able-bodied men; and then it can only be done after full and just compensation. If then the General Government, considering its position, has a strong inducement to let this institution alone, if there is no overriding necessity to destroy it, I take it the Constitution itself, in that article which says that private property cannot be taken for public use except after just compensation—that article places beyond all doubt how this question should be determined.

This question has been a cause of excitement with the Federal Government, and with the legislators of the Federal Government for years past; I admit all that. But there have been a great many other exciting causes. The tariff question has been equally an exciting cause. But does it follow that because this question has divided the people of the country, and because the ablest men of the country have been divided upon it, does it follow therefrom that the institution itself must go down as soon as there seems to be an apparent numerical power sufficient to put it down? I trow not. But to show how and why it is that the institution of slavery has so long been the bugbear of the abolitionists of the North; and why they have so long attempted to break down all these great landmarks of the Constitution, and why they have never, either at this day, or at any other day, been willing to observe the constitutional restrictions upon that subject; and to

show that they have been looked upon as having taken false positions, and as having acted contrary to the opinions of the wisest men of the country, it is only necessary for me to refer to some of the standard authorities of both sides—of both parties at the North on this subject. Some of them have gone so far as to say that if the North were to violate the spirit in which this Union was formed, and if they were to break up this Government for the institution of slavery—if we have to depart from the old principles of the Constitution, if the North departed from the old principles of the Constitution and determined to violate that Constitution, the Southern States would be justifiable even in dismembering this Union.

What does Mr. Everett say? He says in a speech in Faneuil Hall, as late as February 2, 1861:

"To expect to hold fifteen States in the Union by force, is preposterous. The idea of a civil war, accompanied as it would be by a servile insurrection, is too monstrous to be entertained for a moment. If our sister States must leave us, in the name of Heaven let them go in peace."

And what does Hon. Joseph Holt say in respect to this right of the people to protection of person and property? He took the ground that if the right to this property was not strictly observed, and the States determined to have it preserved at all hazards, and after exhausting their constitutional remedies, found they could not get sufficient protection and determined to go out of the Union—does Mr. Holt say that the power of the Government should be exercised to force them to submit to any oppressive act—does he say they should be forced to submit to those laws *volens volens*? On the contrary, he says the concentration of all political rule at Washington cannot but be regarded as the last calamity:

"The organization of a sectional party, is a step, and a startling step, gained towards that centralization which, as a fathomless gulf, is ever yawning for your federative system. \* \* \* The concentration of all political rule at Washington cannot but be regarded as the last calamity which could befall the land which we all love so much. \* \* \* Beneath the intense heat of that new born sun, your liberties would wither away as withers the green herb amid the scorching sands of the African desert."

And what does Mr. Blair, the elder, say? He says:

"Under no possible emergency, not even in insurrection or 'mid the throes of civil war, can this Government justify official interference with the freedom of speech or of the press, any more than it can with the freedom of the ballot. The licentiousness of the tongue and of the pen is a minor evil compared with the licentiousness of arbitrary power."